

MONDAY, February 4th, 1861:

The Senate met pursuant to adjournment.

A quorum present.

The Rev. Dr. DuBose officiated as chaplain.

On motion the reading of the journal of Saturday was dispensed with.

Pursuant to previous notice Mr. Jones introduced the following bill:

A bill to be entitled an act to empower the Judges of Probate of Washington and Holmes counties to draw certain school funds;

Which was placed among the orders of the day.

The rules being waived, Mr. Simkins introduced without previous notice, the following bill:

A bill to be entitled an act for the relief of F. L. Dancy, late Surveyor General, and for other purposes;

Which was read the first time and ordered for a second reading on to-morrow:

Mr. Call introduced without previous notice, the following bills:

A bill to be entitled an act to amend the act entitled an act to encourage and facilitate Internal Improvements and to authorize and regulate partnerships for that purpose;

A bill to be entitled an act to amend an act to provide for the incorporation of Insurance Companies; and

A bill to be entitled an act providing for the publication of certain laws;

Which being read a first time were placed among the orders of the day for a second reading on to-morrow.

The rules being waived, Mr. Watlington introduced without previous notice, the following bill:

A bill to be entitled an act to provide for the public expenditure; Which was placed among the orders of the day.

The following communication was received from his Excellency the Governor:

EXECUTIVE DEPARTMENT, }
Tallahassee, February 2, 1861. }

HON. T. J. EPPES,

President of the Senate:

Sir: I have approved and signed the following bills:

An act to change the name of Martha Anne Barnes to that of Mary Harriet McClelland;

An act for the relief of James C. McArthur, former Sheriff of Santa Rosa county;

An act to authorize and empower Florida A. Stanley to assume the management of her own estate;

An act restoring Isaiah Bird of Hamilton county to the right of suffrage and other privileges;

An act to repeal so much of the act approved Jan. 7, 1859, as consolidates the offices of Sheriff and Tax Assessor & Collector of Wakulla county;

An act to facilitate criminal prosecutions;

An act to charter the Southern Export and Import Company; and

An act concerning replevin.

Very respectfully,

M. S. PERRY.

Which was read.

Also the following:

EXECUTIVE DEPARTMENT, }
TALLAHASSEE, Feb. 2d, 1861. }

Gentlemen of the Senate and

House of Representatives:

The people of the State having declared themselves a sovereign and independent nation, the duty of providing by law proper measures for the defence of that sovereignty and independence is, by the Constitution, cast upon the Executive and Legislative branches of the Government of the State, and it is particularly my duty to call your attention to such matters as may seem to me to justify the belief that the State is in danger from any foe, and to call on you to unite with me in defending her from injury. The occurrences of the last two months sufficiently indicate, that this State and any others of the slaveholding States which have or yet may decide to separate from any political connection with the non-slaveholding States of the late American Union, will not be permitted to accomplish such separation in a peaceable manner, and that they must maintain the independence which they assert and claim to have the right to assume, by a show of force, perhaps by an actual resort to arms, however powerful may be the argument on which we rely to justify our separation. However much we may be convinced of our right to adopt the course which, as a people we have determined to pursue, to avert from us and our posterity the calamities which we feared would befall us and them from the continuance of a government, in a just share of the power of which we could not reasonably expect to enjoy—although the wrong and injuries we had experienced, without any adequate redress from the government of the United States were such as rendered the advantages we derived from it no adequate compensation for the evils to which it left us exposed; and although, we as a free, enlightened and christian people, have;

after long suffering, and expostulation with those who sought to injure us under the forms of legislation, and under the shield of the Union, have been driven to the exercise of the right to re-assume to our State the powers delegated to the Federal Union of States which existed under the Constitution of the United States, which right is plain and incontestible by any of the principles upon which the independence of the American Colonies was placed by the illustrious men who framed and adopted the declaration of the reasons which governed the people of the Colonies in their action; yet it is manifest that the inhabitants of the non-slaveholding States are hardening their hearts against all signs and evidences which justify our exodus from among them, and that like Egyptians of old, they are not willing that we should depart in peace from our state of bondage, but in the spirit of the oppressor, they seek to tighten their grasp upon a people who have been to them an abundant source of profit and advantage, and are preparing their host to follow after and to return us to a captivity, the latter end of which must be worse than the first. Whilst President Buchanan has officially declared that he has no power to employ the military and naval forces under his control in any overt act of hostility against any of the States which have dissolved their connection with the late Federal Union—yet it is apparent that he supports officers of the army under his control in the hostile occupation of portions of the territory of this State, and our sister State of South Carolina—permits his General and members of his Cabinet to set on foot military expeditions against us, reinforce forts, order men-of-war to hover on our coast in hostile array, and has advised Congress to pass laws for the purpose of collecting revenue from imposts into our State by means of armed vessels. This conduct of President Buchanan, which is totally at war with our claim of independence and sovereignty, is not only recognized to be correct and supported by the Representatives of the non-slaveholding States sitting in Congress at Washington, and claiming to be the Congress of the United States, but they have, by speech and votes, manifested a firm resolve to disregard the act of the people done in Convention, dissolving the political ties which united us with the people whom they represent, and declare their purpose so soon as they can attain further power by the inauguration of a President elected by themselves, without the voice and in direct opposition to the will of our people, to use all the military and naval power which they may be enabled to acquire the possession and control of, to subjugate our people and those of the States concurring with us, and to compel us to submit to that government which we resolved to throw off because its further continuance menaced the destruction of our

rights and liberties. We have unmistakable evidence of every kind that is significant and reliable, that the people of the non-slaveholding States sustain the action and declared purposes of those whom they chose by a large majority of their voices to represent them and rule us. We have seen Legislatures of the great States of New York, Ohio and Massachusetts, passing resolutions pledging men and money to aid in fastening upon us again the chains with which they hope to attach us forever to a condition of bondage and vassalage to an unfriendly people. No friendly voice was lifted in the councils of these States to defend our action and to maintain our right to throw off a government which, in our opinions, no longer conferred on us those blessings of peace and domestic tranquility which it was founded to secure. No one was heard to utter that truth which our ancestors had inserted in their declaration of independence, "that all governments derive their just powers from the consent of the governed." Of all the mighty thousands of Northern men whom we were beseeched to trust to as a sufficient means to guard us against the ruin which we foresaw in the impending ascendancy of the Black Republican party, not even a respectable minority in the Legislatures alluded to opposed their votes to such foul acts of unfriendly power. No lover of human liberty was heard to exclaim, wherever people calling themselves Republicans were, through their Representatives, offering to furnish the means to compel millions of their fellow men, their equals, and lately their fellow-citizens, to submit to a government under which they honestly believed they could not enjoy their admitted and just rights. No Burke, no Barre, no Fox declared against acts of tyranny, far more odious and cruel than those which a North and a Bute perpetrated under the authority of a crown, and which found illustrious patriots ready to denounce in the hearing of the mighty monarch who sat on the throne of Great Britain. We are not only assured that force of arms is to be employed to compel us to pass under the yoke of Black Republican rule, by the evidences I have alluded to, derived from legislative proceedings of the State Legislatures and of representative men in Congress from non-slaveholding States, but daily the press and the pulpit pour forth denunciations against our people and earnestly count the days yet to lapse when they fervently hope to see their representative man, Abraham Lincoln, enthroned at Washington in undisputed possession of all the machinery of government, supported by the military chieftain, who, like Napoleon at Paris, coolly and deliberately, without remorse or hesitancy, plants the cannon that is to mow down, at his word of command, his fellow-citizens, whom a love of liberty may urge to make an effort to save the tomb of Washington from remaining in the keeping of

those who have forgotten his precepts and have, by the organization of a sectional party, destroyed the Government and buried the spirit of the Constitution. We are forewarned of coming attacks upon our political and civil liberties, and shall we not be forearmed? We have yet heard but the mutterings of the thunder, but the storm is not afar off. It may pass by us, but let us be prepared to meet it firmly, and avert from our people the injury with which it threatens them. Let us remember the voice of that illustrious southerner, whose mortal remains lie entombed on the banks of the Potomac, who counselled us in "time of peace to prepare for war." Let us arm for the contest, and perchance, by a show of our force and our readiness for the combat, we may escape the realities of war. Already our brethren of the Southern States are arming—we too have made some preparation, but much remains undone. We see that even the slaveholding States of Missouri, Tennessee, Virginia and North Carolina, which have not yet cut loose the ties which connect them politically with the non-slaveholding States, are arming for the contest. In Virginia the people are ahead of the Legislature, and have, in their county meetings, empowered the county authorities to put the militia on a war footing, and have raised funds for the purchase of arms and ammunition. All these signs and tokens warn us to be ready to defend our rights. With the notes of hostile preparation sounding in our ears, with the example of our brethren (whose fate we must share) to stimulate us, is it not our duty to prepare to sustain, by our arms, what we have determined upon in our counsels?

We who were emulous of being foremost in dissolving the Union, should not be laggard in preparing for the contest. We have taken the field. Our flag is unfurled at Pensacola, where our gallant troops, standing shoulder to shoulder with the brave volunteers from our sister States, who, with a noble, generous chivalry, stand ready to obey our orders and co-operate with us most cordially in our time of need. Let us make provisions to keep them under arms and to call out and support them by others should they be needed. The State expects us to do our duty, the people will do theirs. I invite you therefore to lend me your aid and to unite with me in providing for the calling into service such a number of troops as may be equal to our defence, when assisted as we shall be by our sister States, who are preparing to unite their political fortunes with ours.

I also suggest to you that you should make special appropriations for the pay and maintenance of as many troops as may be called into service, and for the purchase of munitions of war, transportation of troops, and other expenses incidental to the defences of the State.

The States of Louisiana, Mississippi, Georgia, Alabama and South Carolina, which have dissolved their connection with the late federal Union, have elected delegates to meet with those sent from this State to the Convention to be held at Montgomery, Alabama, on the fourth day of this month, being the day suggested by a majority of the seceding States. We may expect, therefore, that the Convention will at an early day form a provisional government for the States represented, and call for troops and money from the confederates. The quota of Florida will not be large, but we should proceed to organize the force which we are likely to be called on to furnish, and appropriate the means necessary for the maintenance and pay of them and our quota of the expense of the common defence.

I am not able to lay before you an estimate of the amount necessary, but will readily confer with Committees of your bodies with a view to ascertain what sum of money may be required therefor.

Very Respectfully,

M. S. PERRY.

Which was read, 500 copies ordered to be printed, and the same referred to the committee on the Militia, with instructions to confer with his Excellency the Governor, in relation thereto.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, }
February 2, 1861. }

HON. T. J. EPPES,

President of the Senate:

SIR—The House has refused to recede from the House amendments to the Senate bill entitled an act to change the mode of selecting Grand and Petit Jurors in this State, and have appointed a committee of conference, consisting of the Judiciary committee of the House.

Respectfully,

A. J. PEELER,
Clerk House Rep.

Which was read and the committee on the Judiciary appointed a committee to confer with the committee on the part of the House.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, }
February 1st 1861. }

HON. T. J. EPPES,

President of the Senate:

SIR: The House has passed the following bills and resolution, viz:

House bill to be entitled an act concerning the office of Clerk of the Supreme Courts of this State;

House bill to be entitled an act to change the name of Elizabeth Lovett;

Senate bill to be entitled an act to amend the road law, and to repeal a certain act relating to Santa Rosa county, as amended;

Senate bill to be entitled an act to change the name of the county site of Holmes county from Hewitts Bluff to that of Gay Hill, and for other purposes therein expressed, as amended;

Senate resolution relative to the Florida and Georgia boundary line;

House bill to be entitled an act governing vessels propelled in whole or in part by steam, in this State;

Senate bill to be entitled an act providing for a State uniform and flag, as amended;

Senate bill to be entitled an act to establish the fees of Notaries Publics in certain cases;

Senate bill to be entitled an act to permit A. E. Hodges to establish a Ferry across the Withlacoochee river;

Senate bill to be entitled an act to authorize the County Commissioners of Washington county to establish a ferry across Holmes' creek;

Senate bill to be entitled an act combining the office of Sheriff and Tax Assessor of Jefferson county; and

House bill to be entitled an act to amend an act to provide for the payment of Physicians who are summoned to attend Coroners Juries, approved January 11, 1855.

Very respectfully,

A. J. PEELER,
Clerk House of Representatives.

Which was read, the House bills read the first time by their titles and ordered for a second reading on to-morrow, and the amendments to the Senate bills concurred in, which, together with the Senate bills that had passed the House without amendment, ordered to be enrolled, and the same certified to the House of Representatives.

The rules being waived, Mr. Magbee moved that the bill establishing the county of Polk from Hillsborough and Brevard counties be placed first among the orders of the day;

Which was adopted.

The rules being waived, Mr. Davidson moved that the bill to be entitled an act to secure certain rights to married women, be taken up and placed among the orders of the day next to bill in regard to Polk County;

Which was adopted.

Mr. Dawkins moved that the bill to be entitled an act to incorporate a company to construct a railroad from St. Andrews to some point on the Georgia and Alabama line in West Florida be placed third among the orders of the day;

Which was agreed to.

Mr. Ingram presented a petition from sundry citizens of Alachua county;

Which was laid upon the table.

Mr. Ingram offered the following resolution:

Resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened, That both Houses of this General Assembly will adjourn sine die on Friday, the 8th inst., at one o'clock, P. M.

Which was placed among the orders of the day.

Mr. Call offered the following resolution:

Resolved, That the Secretary of the Senate and the chief Clerk of the House be, and they are hereby authorized to deliver the engrossed copies of bills, after they shall have been duly enrolled, to the Governor's Secretary, to be by him retained until the laws shall have been finally copied, and afterwards deposited in the office of the Secretary of State;

Which was read, the rules waived, and the resolution put upon its passage;

The vote was:

Yeas—Mr. President, Messrs. Brokaw, Call, Chain, Dawkins, Davidson, Duncan, Ingram, Jones, Magbee, McQueen, Rogers, Simkins, Walker and Watlington—15.

Nays—None.

So said resolution passed—title as stated.

Ordered that the same be certified to the House of Representatives.

Mr. Ingram from the committee on Engrossed Bills made the following report:

The committee on Engrossed Bills beg leave to report the following bills as correctly engrossed:

A bill to be entitled an act to secure certain rights to married women;

A bill to be entitled an act requiring of Circuit Courts to set specific days for the trial of cases wherein three or more witnesses are subpoenaed;

A bill to be entitled an act for the relief of Halstead H. Hoeg and assignees;

A bill to be entitled an act to allow Sheriffs costs for advertising their sales in the public gazettes of this State;

A bill to be entitled an act relative to the common school fund of Washington and Holmes counties;

A bill to be entitled an act regulating the order in which cases shall be tried in the Circuit Courts;

A bill to be entitled an act repealing the usury laws;

A bill to be entitled an act in relation to sheriffs;

A bill to be entitled an act defining who shall be competent witnesses, and for other purposes;

A bill to be entitled an act to amend an act to provide for writs of error in criminal cases;

A bill to be entitled an act requiring Railroad Companies to maintain proper cattle guards and Railroad crossings;

A bill to be entitled an act to authorize the County Commissioners of Hillsborough county to borrow money;

A bill to be entitled an act to authorize Joseph H. Rowe, Wm. J. Keyser and other owners of wharf property at Milton, in Santa Rosa county to establish and charge rates of wharfage;

A bill to be entitled an act for the relief of Donald Cameron, Justice of the Peace for Leon County;

A bill to be entitled an act to amend the criminal laws of this State and to provide for the punishment of abusive words; and

A bill to be entitled an act to prevent breaches of trust by Telegraph Operators.

Respectfully submitted,

TILLMAN INGRAM,

Chairman.

Which report was received and read and bills placed among the orders of the day.

Mr. Simkins, from the committee on enrolled bills, made the following report:

The committee on enrolled bills beg leave to report the following bills as correctly enrolled:

A bill to be entitled an act to incorporate the La Villa Institute, near Jacksonville, Florida;

A bill to be entitled an act to amend the Pilot laws of the port of Fernandina;

A bill to be entitled an act to provide a remedy to enforce the lien of ship-wrights, ship-chandlers and others, against ships, vessels, steamboats, or other water crafts;

A bill to be entitled an act to change the time for holding the Circuit Courts of the Western Circuit; and

A bill to be entitled an act relating to foreign guardians.

Respectfully submitted,

E. C. SIMKINS,

Chairman.

Which was read.

Mr. Davidson from a select committee made the following report.

The committee to whom was referred resolutions in regard to the pay of the members of the General Assembly

REPORT

That they have had the same under consideration and recommend the passage of a bill to be entitled an act fixing the pay of the members of the General Assembly, which is herewith offered as a substitute.

R. H. M. DAVIDSON, Chairman,
D. S. DAWKINS,
JOHN CHAIN,

Which report was received and read and bill placed among the orders of the day.

ORDERS OF THE DAY.

A bill to be entitled an act to amend the amended Constitution of the State of Florida in relation to the sessions of the General Assembly;

Was read three several times and put upon its passage:

The vote was:

Yeas—Mr. President, Messrs. Brokaw, Call, Chain, Dawkins, Davidson, Jones, McQueen, Rogers, Simkins and Walker—11.

Nays—Messrs. Duncan, Ingram, Magbee and Watlington—4.

So said bill passed—title as stated.

Ordered that the same be certified to the House of Representatives.

A bill to be entitled an act to amend the 7th section of the 13th article of the Constitution of this State;

Was read three several times and put upon its passage;

The vote was:

Yeas—Mr. President, Messrs. Brokaw, Call, Chain, Dawkins, Davidson, Duncan, Ingram, Jones, McQueen, Rogers, Simkins, Walker and Watlington—14.

Nay—Mr. Magbee—1.

So said bill passed—title as stated.

Ordered that the same be certified to the House of Representatives.

House bill to be entitled an act to organize the county of Polk from the counties of Hillsboro and Brevard;

Was read the third time;

Mr. Rogers offered the following amendment to section eight:

Provided, however, that it shall be found by a census of said county, to be taken by order of the Governor, under the forms now prescribed by law for taking the general census of this State, the expense of taking such census to be borne by the said county, that its population is sufficient to entitle it to such representation; otherwise, it shall continue to vote for representative with the county of Hillsborough, until the next regular apportionment of representation; and said county shall constitute a part of the 20th Senatorial District of the State.

Which was adopted.

The bill was then put upon its passage;

The vote was:

Yeas—Messrs. Brokaw, Call, Chain, Dawkins, Davidson, Magbee, McQueen, Rogers and Simkins—8.

Nays—Mr. President, Messrs. Duncan, Ingram and Jones—4.

So said bill passed—title as stated.

Ordered that the same be certified to the House of Representatives.

A bill to be entitled an act to secure certain rights to married women:

Was read the third time and put upon its passage;

The vote was:

Yeas—Messrs. Call, Chain, Dawkins, Davidson, Duncan, Ingram, Magbee, McQueen, Rogers, Simkins, Walker and Watlington—12.

Nay—Mr. Brokaw—1.

So said bill passed—title as stated.

Ordered that the same be certified to the House of Representatives.

A bill to be entitled an act to incorporate a company to construct a Railroad from St. Andrew's Bay to some point on the line of Georgia or Alabama, in West Florida;

Was read the first time, the rules waived, read a second time by its title, and referred to the committee on Internal Improvements.

A bill to be entitled an act to prevent citizens of those States which have passed bank suspension and stay laws, from collecting debts in this State;

Was read the second time and referred to the committee on the Judiciary.

House bill to be entitled an act to amend an act to provide for the payment of Physicians who are summoned to attend Coroner's Juries, approved Jan. 11, 1855;

Was read the second time and ordered for a third reading on tomorrow.

House bill entitled an act to permit Erasmus Thompson of Hillsborough county, to practice law in the several Courts of this State;

Was read the third time and put upon its passage;

The vote was:

Yeas—Mr. President, Messrs. Brokaw, Call, Chain, Dawkins, Davidson, Duncan, Ingram, Jones, Magbee, McQueen, Rogers, Simkins, Walker and Watlington—15.

Nays—none.

So said bill passed—title as stated.

Ordered that the same be certified to the House of Representatives.

A bill to be entitled an act to organize the Volunteer forces of this State;

Was read the second time and laid on the table.

House bill to be entitled an act to amend the charter of the Alabama and Florida Railroad Company in relation to election of directors;

Was read the third time and put upon its passage;

The vote was:

Yeas—Messrs. Brokaw, Call, Chain, Dawkins, Davidson, Duncan, Ingram, Jones, Magbee, McQueen, Rogers, Simkins, Walker and Watlington—15.

Nays—none.

So said bill passed—title as stated.

Ordered that the same be certified to the House of Representatives.

A bill to be entitled an act to amend the election laws in force in this State;

Was read the second time, and on motion referred to a select committee consisting of Messrs. Davidson, Jones and Dawkins.

A bill to be entitled an act in relation to the admission of Attorneys;

Was read the second time.

On motion of Mr. Rogers, the substitute recommended by the committee was laid on the table.

The rules being waived, the bill was then read a third time by its title, and put upon its passage;

The vote was:

Yeas—Mr. President, Messrs. Brokaw, Call, Davidson, Magbee, McQueen, Rogers, Simkins and Walker—9.

Nays—Messrs. Chain, Dawkins, Duncan, Ingram and Watlington—5.

So said bill passed—title as stated.

Ordered that the same be certified to the House of Representatives.

A bill to be entitled an act to encourage the formation of mounted and cavalry companies in this State for military services;

Was read the second time, substitute recommended by the committee adopted, and ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled an act providing for the representation of this State in the Southern Convention;

Was read the first time, the rules waived and read a second time.

Mr. Call offered to amend by adding the following additional section:

Be it further enacted, That should it become necessary after the adjournment of the General Assembly of this State, for them to choose any representatives to or other officers to the Provisional Government aforesaid, it shall be the duty of the Governor of this State to authorize the qualified voters of this State to designate by ballot the person or persons who shall be chosen as such representatives or officers, and the persons so designated as their choice by a plurality of the qualified voters of the State are hereby declared to be the choice of the General Assembly, and the Governor of the State is hereby authorized to commission the person so chosen, under the great seal of the State, as the choice of the General Assembly.

Which was adopted, and the bill as amended referred to the committee on the Judiciary.

A bill to be entitled an act reorganizing the militia forces in this State;

Was read the second time and the amendments proposed by the committee on the Militia, concurred in.

Mr. Dawkins moved to amend the bill by striking out the seventh section;

Which was lost.

Mr. Rogers moved to strike out the word "five" in section nine, and insert the word "four;"

Which was adopted.

Mr. Call offered the following as a substitute for the fifteenth section;

SEC. 15. *Be it further enacted*, That whenever in case of actual invasion, or from any other cause, the military forces of this State shall be called into actual service, the lineal rank of all officers and their pay and emoluments shall correspond with the number of troops in the command, that is to say, an officer in command of sixty-four men, or less, shall rank as captain only and the rest in regular gradation and receive pay accordingly. If more than sixty-four men, and less than one hundred and twenty-eight are in the command the same shall be divided into two companies, and the highest in rank shall rank as a Major, and the residue in regular gradation.

Which was adopted.

Mr. Rogers offered the following proviso to the substituted section just adopted:

Provided, however, that this section shall not be so construed as to reduce the lineal rank or pay of any Colonel, Lieutenant Colonel, Major, Captain or Lieutenant, when such officer or officers shall have under his or their command the minimum number of men requisite to give to him or them, his or their legitimate rank from his or their own regiment, battalion or company;

Which was adopted.

Mr. Eppes moved to amend the bill by striking out the words "if any" in the third line of the seventeenth section and inserting "or" between the words "existence" and "herein" and inserting in the same line between the words "duties" and "herein" the words "heretofore and;"

Which were adopted.

Mr. Eppes moved to amend by striking out the eighteenth section.

Which was lost.

The bill was then ordered to be engrossed as amended for a third reading on to-morrow.

The rules being waived, Mr. Davidson moved to take up the bill to be entitled an act for providing for carrying the mails;

Which was read the second time.

Mr. Call moved to amend the bill by striking out the word "nineteen" in the sixth line of the twentieth section, and add at the end of the section the words "in reference to carrying the mails;"

Which was adopted.

Mr. Davidson moved to strike out the word "and" in the fourth line of the seventh section, and insert the words "and Tallahassee" after the word "Quincy" in the same line;

Which was adopted.

Mr. Eppes moved to amend by inserting in the second line of the sixth section after the word "Apalachicola" the word "Chattahoochee;"

Which was adopted.

Mr. Magbee moved to amend the bill by striking out the words "Post Master at Key West;"

Which was lost.

Mr. Eppes moved to add the words "or the contractors refuse to perform their contract" at the end of the eighteenth section;

Which was adopted.

The bill was then ordered to be engrossed as amended for a third reading on to-morrow.

A bill to be entitled an act the further defining the duties of the Trustees of the Internal Improvement Fund;

Was read the second time and ordered to be engrossed for a third reading on to-morrow.

House bill to be entitled an act to enable Railroad Companies to obtain the right of way;

Was read the second time and referred to the committee on Internal Improvements.

A bill to be entitled an act requiring of Circuit Courts to set specific days for trial of causes wherein three or more witnesses are subpoenaed;

Was read the third time and put upon its passage;

The vote was:

Yeas—Mr. President, Messrs. Brokaw, Call, Chain, Dawkins, Duncan, Jones, McQueen and Watlington—9.

Nays—Messrs. Davidson, Ingram, Magbee, Rogers and Walker—5.

So said bill passed—title as stated.

Ordered that the same be certified to the House of Representatives.

A bill to be entitled an act for the relief of Holstead H. Hoeg, and assignees;

Was read a third time and put upon its passage;

The vote was:

Yeas—Mr. President, Messrs. Brokaw, Call, Chain, Dawkins, Duncan, Ingram, Jones, Magbee, Simkins, Walker and Watlington—12.

Nays—Messrs. Davidson and McQueen—2.

So said bill passed—title as stated.

Ordered that the same be certified to the House of Representatives.

A bill to be entitled an act to allow sheriffs costs for advertising their sales in the public gazettes;

Was read the third time.

Mr. Rogers moved to amend the bill by striking out the words "or that is printed nearest thereto in the Judicial Circuit where said levy is made;"

Upon which the yeas and nays were called by Messrs. Magbee and Walker;

The vote was:

Yeas—Mr. President, Messrs. Brokaw, Davidson, Duncan, Jones, McQueen, Rogers and Walker—8.

Nays—Messrs. Call, Chain, Dawkins, Ingram, Magbee, Simkins and Watlington—7.

So said motion was lost, the rule requiring three-fourths to amend on the third reading.

The bill was then put upon its passage;

The vote was:

Yeas—Messrs. Call, Chain, Dawkins, Ingram, Magbee, McQueen, Simkins and Watlington—8.

Nays—Mr. President; Messrs. Brokaw, Davidson, Duncan, Jones, Rogers and Walker—7.

So said bill passed—title as stated.

Ordered that the same be certified to the House of Representatives.

On motion of Mr. Call the rules were waived and he moved an additional section to a bill to be entitled an act still further defining the duties of the Trustees of the Internal Improvement Fund, which was ordered to be engrossed to day, viz:

Sec. 8. *Be it further enacted*, That the said Railroad shall be and remain free from toll or other charge upon the transportation of any property or troops of the State of Florida, or of any other government legitimately succeeding to the power, rights and privileges of the late United States;

Which, together with the bill, was ordered to be engrossed for a third reading on to-morrow.

On motion, the Senate adjourned until half-past ten o'clock to-morrow morning.

TUESDAY, February 5th, 1861.

The Senate met pursuant to adjournment.

The Rev. Dr. DuBose officiated as Chaplain.

A quorum present.

On motion the reading of yesterday's journal was dispensed with.

On motion of Mr. Call, the rules were waived so as to allow the committees on Engrossed Bills and Enrolled Bills to report at any time.

Mr. McQueen asked that the rules be waived, that he might make a motion;

Which was adopted.

Mr. McQueen moved to reconsider the vote upon the bill to be entitled an act to allow sheriffs costs for advertising their sales in the public gazettes;

Which was adopted.

Mr. Rogers moved that the bill be placed back upon its second reading;